

REMARKS

Claims 1-8 and 11 are all the claims pending in the application. By this Amendment, Applicants cancel claims 9 and 10 without prejudice or disclaimer.

As an initial matter, Applicants note that in the Office Action Summary, the Examiner incorrectly lists only claims 1-7 and 9-11 as the pending claims (Office Action Summary, item 4). Since claim 8 is also pending (e.g., see previous Amendment filed October 27, 2008 and the instant Amendment), Applicants respectfully request the Examiner to correct the listing of the pending claims.

Allowable Subject Matter

Applicants thank the Examiner for indicating that claims 1-7 and 11 are allowed. However, Applicants note that the aforementioned claim 8 has been overlooked again. Since claim 8 depends from claim 1, claim 8 should also be allowed. Accordingly, in addition to correcting the list of the pending claims in item 4 of the Office Action Summary, Applicants request the Examiner to correct the list of the allowed claims in item 5 of the Office Action Summary, as well as in the discussion of the allowed claims on page 4, paragraph 6 of the Office Action.

Claim Rejections – 35 U.S.C. § 103

Claim 9 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 5,983,176 to Hoffert *et al.* (“Hoffert”) in view of U.S. Patent No. 6,535,617 to

Hannigan *et al.* (“Hannigan”)¹. Claim 10 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,606,393 to Xie *et al.* (“Xie”) in view of Hannigan².

Applicants do not acquiesce to these rejections. In order to expedite prosecution, however, Applicants cancel claims 9 and 10 as noted above. Accordingly, these rejections are rendered moot.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,
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¹ The Examiner lists the patent no. of Xie *et al.* next to the Hannigan reference, but appears to be relying on portions of Hannigan in the rejection.

² Again, the Examiner incorrectly references Hannigan with the patent no. of Xie *et al.* (Office Action, page 3, paragraph 5).